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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 MAURICE M. MCCOY,

11 Defendant.

Case No. 2:14-cr-0257-KJD-VCF

**ORDER**

12 Before the Court is Maurice McCoy's Application for Early Termination of Supervised  
13 Release (ECF No. 22). The government responded (ECF No. 24), but McCoy did not reply.

14 In January of 2006, McCoy was sentenced to 120 months of incarceration with 5 years of  
15 supervised release to follow for conspiracy to possess with intent to distribute cocaine base and  
16 cocaine. McCoy entered supervised release on April 7, 2014. In December of 2015, McCoy  
17 violated the terms of his supervision. The Court held a revocation hearing on January 19, 2016,  
18 and McCoy admitted several violations. The Court then sentenced McCoy to a 6-month sentence  
19 followed by 48 months of supervised release. ECF No. 21. On February 28, 2018, McCoy moved  
20 to terminate his supervised release early. He argues that his compliance with the terms  
21 supervision since his 2015 violations justifies early termination.


22 The Court may terminate supervised release after one year subject to the factors set out in  
23 18 U.S.C. §§ 3553(a)(1), (a)(2)(B), (a)(2)(C), a(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7). 18 U.S.C.  
24 § 3583(e). The Court has broad discretion to consider the statutory factors to terminate  
25 supervised release. United States v. Jeanes, 150 F.3d 483, 484 (5th Cir. 1998). However, the  
26 defendant bears the burden to demonstrate that early termination is warranted. United States v.  
27 Weber, 451 F.3d 552, 559 n.9 (9th Cir. 2006). Here, the Court finds that McCoy has not made  
28 the necessary showing to terminate his supervised release. First, mere compliance with the terms

1 of supervised release is not enough to terminate supervision early. Offenders on supervised  
2 release are expected to comply with the conditions of release. In fact, “even perfect compliance  
3 with [those] conditions,” on its own, does not warrant early termination. United States v.  
4 Etheridge, 999 F. Supp. 2d 192, 196 (D.D.C. 2013).

5 And even if compliance with the terms of supervised release was enough to terminate  
6 supervised release early, McCoy has not perfectly complied. McCoy admitted to several  
7 violations of the terms of his supervised release in late 2015. Then, in June of 2019, McCoy  
8 stopped reporting to his probation officer as directed in the terms of supervision. That prompted  
9 Probation to seek revocation of McCoy’s supervised release and a warrant for his arrest. It goes  
10 without saying that McCoy’s probation officer opposes early termination. In sum, McCoy’s  
11 actions have demonstrated his inability to comply with the terms of his supervised release, and  
12 he does not qualify for early termination.

13 Accordingly, IT IS HEREBY ORDERED that Maurice M. McCoy’s Application for  
14 Early Termination of Supervised Release (ECF No. 22) is **DENIED**.

15 Dated this 28th day of October, 2019.

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19 Kent J. Dawson  
20 United States District Judge  
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